GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revenue Department - Disciplinary action against Sri Md.Yousuf, M.R.O.(Retd) - Imposition of 5%cut in pension for a period of 2(two) years – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No. 1062 **Dated: 08-07-2013**

Read the following:

1)From CCLA, Hyderabad Letter No.VSI(4)/752/1999, dt.27-3-2008.
2)Govt.Memo.No.59712/Vig.II(2)/2008-1, dt. 2-11-2009.
3)Representation from Sri Md.Yousuf, formerly Tahsildar(now retired) dt. 31-3-2009
4)Govt.Letter No.59712/Vig.II(2)/2008-5, dt. 23-3-2013.
5)From Secretary, APPSC Letter No.744/RT/2/2013, dt. 14-6-2013.

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ORDER:

In the reference 1st cited, the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted proposals to Government that the District Collector, Mahabubnagar has informed that the land bearing Sy.Nos. 362/E and 362/EE extent Acre. 4.45 situated in the limits of Mannanoor Village of Gopalpet Mandal was acquired for providing house sites and award was passed on 23.3.92 to this effect that the Mandal Revenue Officer/Land Acquisition Officer fixed the market value as Rs.4500/- per acre. The land holder not satisfied with the land compensation, has filed a petition numbered as OP No.33/92 before the Subordinate court at Nagarkurnool for fixation of reasonable compensation. The court disposed the OP No.33/92 on 20.7.95 enhancing the land compensation from Rs.4500/- per acre to Rs.7.50 per sq. yard (Rs.36,300/- per acre) in addition to the other normal benefits admissible under the LA Act due to which huge loss was sustained by Government. Sri Md.Yousuf, while functioning as Mandal Revenue Officer, Gopalpet during the period from 22.03.96 to 07.03.97 has not taken steps to obtain the certified copies of judgement in OP No.33/92 from Subordinate Court, Nagarkurnool immediately on disposal of the case and to file appeal in High Court of AP. An appeal was filed in HC of AP in the month of 12/98 along with a petition for condonation delay, but the High Court dismissed the appeal as time barred.

2. Based on the above allegation and report of the District Collector, Mahabubnagar, the Chief Commissioner of Land Administration has framed charges against him vide his proceeding dt.29.1.2001 and the Charged Officer has submitted his explanation denying the charges and requested to drop further action. After not satisfy with his written statement of defence, the Joint Collector, Mahabubnagar and the District Revenue Officer, Mahabubnagar was appointed as Inquiring Authority and Presenting Officer to conduct regular enquiry into the charges framed against Sri Md.Yousuf, formerly Mandal Revenue Officer, Gopalpet. The Enquiry Officer has submitted his enquiry report holding that the charges are held proved. The Chief Commissioner of Land Administration has requested the Government to conclude the departmental proceedings under rule 9 of APRP Rules, 1980 as the Charged Officer has retired from service on 31-3-2003.

3. After examining the findings of the enquiry report, Government have taken provisional decision to impose a punishment of 5% cut in pension for a period of two (2) year. Accordingly, in the reference 2nd cited, a show cause notice was issued to Sri Mohd Yousuf, formerly Tahsildar (now retired) for his representation. In the reference 3rd cited, Sri Mohd Yousuf, formerly Tahsildar (now retired) submitted his explanation stating the enquiry officer has found guilty on him for delay but he is totally silent

(P.T.O)

about the other Mandal Revenue Officer Sri Khaja Moinuddin from whom he taken charge and who has made a delay of 8 (eight) months without taking any action after passing of judgment and it seems that the Enquiry Officer save Sri Khaja Moinuddin for the reasons best known to him. Hence, he has requested to drop the charges and punishment against him and take action against Sri Khaja Moinuddin, Mandal Revenue Officer (Retired).

4. Government after examination of the explanation of the Delinquent Officer, keeping in view of the findings of the Enquiry Officer have observed that the Charged Officer did not take necessary follow up action in OP NO.33/92 for a period of 10 months, 20 days after he assumed the charge as Mandal Revenue Officer, Gopalpet. The Charged Officer also clearly failed to file an appeal in the High Court of AP being fully aware of the facts of the case. On 24-2-97, the Charged Officer wrote a letter to the District Collector requesting permission to file an appeal, which was immediately given (vide Lr.No.LA5/LC/1997, dt. 24-2-1997), which he admittedly failed to follow up (vide the CO's letter addressed through proper channel to the CCLA dt. 29-10-2003) irrespective of whether the officer subsequently availed medical leav on 6-3-1997, it was his responsibility, as prescribed by the Government to file an appeal while he served as Mandal Revenue Officer, Gopalpet. Hence, Government have decided to impose a punishment of 5% cut in pension for a period of two (2) years on Sri Md.Yousuf, Mandal Revenue Officer(Retd) after due consultation with the A.P. Public Service Commission. Accordingly, Government hereby order to impose a punishment of 5% (Five Percent) cut in pension for a period of two (2) years on Sri Md.Yousuf, Mandal Revenue Officer (Retd). A copy of the opinion of A.P. Public Service Commission in the matter is enclosed.

5. The Chief Commissioner of Land Administration, Hyderabad is requested to take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Md.Yousuf, Mandal Revenue Officer (Retd),
(through the Special Chief Secretary &
the Chief Commissioner of Land Administration,
Hyderabad).
The Special Chief Secretary &
the Chief Commissioner of Land Administration,
Hyderabad
Copy to:
The Collector, Mahabubnagar District.
The District Treasury Officer, Mahabubnagar District.
The Accountant General, A.P., Hyderabad.
The Secretary, A.P. Public Service Commission,
Hyderabad.
S.c./ S.f.

//FORWARDED BY ORDER//

SECTION OFFICER